

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

|                           |   |                        |
|---------------------------|---|------------------------|
| UNITED STATES OF AMERICA, | ) |                        |
| Plaintiff,                | ) |                        |
|                           | ) |                        |
| v.                        | ) |                        |
|                           | ) | Case No. 4:19-cv-00415 |
| ALEXANDRU BITTNER,        | ) |                        |
| Defendant.                | ) |                        |
| _____                     | ) |                        |

**UNITED STATES' RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION FOR  
LEAVE TO EXCEED PAGE LIMITS**

The United States files this response in opposition to the Defendant's Motion for Leave to Exceed Page Limits for filing his Motion to Compel, ECF # 70, "Defendant's Motion", and states as follows:

On April 22, 2020, after the deadline for completion of discovery had already closed, the Court granted Defendant permission to file a motion to compel regarding the United States' objections to Defendant's written discovery requests. Defendant did not promptly file a motion to compel. Instead, on June 4, 2020, the complex factual and important legal issues in this case had been fully briefed and were argued to the Court in cross motions for summary judgment. Those motions are currently pending before the court. See ECF ## 28, 29, 34, 42, 47, 58, 61, 62, 63.

Now, after waiting more than nine weeks (64 days) after being granted leave by the Court to file a motion to compel discovery, the Defendant once again attempts to resurrect the same discovery dispute that it did not care enough about to timely pursue after being granted leave do so. The timing of Defendant's motions only days before the July 1st and July 17th deadlines for filing pretrial materials is beyond late, and neither of the motions offer any explanation as to why

Defendant waited so long to pursue this discovery or why it waited so long to request additional pages. Although it appears that the Court will need to decide whether Defendant has waited too long to further pursue this discovery, the United States should not be burdened with a requirement to respond to additional pages at this late date.

WHEREFORE the United States requests that the Court deny the Defendant's Motion.

Respectfully submitted,

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ATTORNEYS FOR UNITED STATES

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that service of the foregoing Response in Opposition has been made on June 26, 2020, by the Clerk's ECF filing system to:

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